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UNCLAS SECTION 01 OF 11 SKOPJE 000069

SENSITIVE
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TAGS: [PREF](#) [PHUM](#) [KCRM](#) [KTIP](#) [KWMN](#) [SMIG](#) [KFRD](#) [ASEC](#) [ELAB](#) [MCA](#) [AJ](#)
TI, MW, BK, KS, MK

SUBJECT: 2010 TRAFFICKING IN PERSONS REPORT FOR MACEDONIA

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SENSITIVE BUT UNCLASSIFIED PLEASE PROTECT ACCORDINGLY

1. Summary: During the reporting period the GOM continued to show a strong commitment to combating trafficking-in-persons (TIP) and participated in international activities directed at identifying and eliminating human trafficking. High-ranking GoM officials took an active interest in combating TIP and made public speeches domestically and internationally against TIP. The National Commission (NC) for Prevention and Suppression of Trafficking in Persons and Illegal Migration worked proactively with the international community and the primary TIP NGOs in the country to improve its TIP prevention, prosecution, and victim protection. The government continued to strengthen its TIP specific bi-lateral and multi-lateral relationships to ensure expedient victim identification and referral across borders, and maximize the effectiveness of international trafficking and smuggling law enforcement efforts. The NGOs and international organizations that work with the NC reported positive collaboration and cooperation with the GoM.

2. PolOffs Matt Keener and Amanda Timko currently serve as post's TIP Officers. Post coordinates anti-TIP programs through a TIP committee comprised of the DCM, POL, PAO, OPDAT, ICITAP and USAID. Keener's contact information: Embassy phone 389-2-310-2265, fax 389-2-310-2499; unclassified e-mail KeenerM@state.gov. Timko's contact information: Embassy phone 389-2-310-2413, fax 389-2-310-2499; unclassified e-mail TimkoAM@state.gov. Both PolOffs are FS-04s and spent approximately 100 combined hours on the preparation and drafting of this TIP Report. (End Summary)

REPORTING QUESTIONS

25. (U) MACEDONIA'S TIP SITUATION:

-- A. Post's main sources of information on TIP were The National Commission; the National Referral Mechanism (NRM) under the Ministry of Labor and Social Policy (MLSP); the International Organization for Migration (IOM); the OSCE; the Vienna-based International Centre for Migration Policy Development (ICMPD), two local NGOs that provide assistance to victims of trafficking in the country's two TIP victim shelters and a handful of additional NGOs that work on TIP prevention. In December 2009 the newly appointed National Reporter on Trafficking and Smuggling completed the first annual National Reporter's report detailing TIP combating activities. The report's qualitative assessment of TIP complements the NC's more quantitative annual report. Interested in delivering the most accurate, critical assessment of TIP possible, the National Reporter organized a formal presentation of the findings of the report's first draft to the National Commission, International Community and TIP-focused NGOs and requested their feedback and recommendations prior to publishing the final report. The final report included the resulting feedback and suggestions conveyed by the international and NGO community, along with recommendations for improving the report going forward.

-- B. Macedonia continued to be a transit country for smuggled migrants. International trafficking crimes continued to drop during the reporting period. One foreign victim from Kosovo was discovered during the reporting period. There are some indications that Macedonia may be a source country for victims of labor trafficking. One particular case, in which approximately 370 migrant workers (primarily Bosnian) allegedly became victims of trafficking while working for a Serbian company in Azerbaijan, reportedly included a number of Macedonian workers as well. Upon learning of the case,

Macedonian TIP authorities contacted Bosnian authorities and the IOM for more information. Through the course of the investigation Macedonian authorities identified a handful of Macedonians who had worked for the company in Azerbaijan and proactively reached out to the workers to offer them assistance and interview them in accordance to the SOPs. All of the returned workers refused assistance and most insisted they were not victims. In fact, most of them also indicated a strong desire to return to Azerbaijan and work for the company again. Macedonian authorities uncovered some indicators of TIP in the course of their interviews but have been unable to substantiate any concrete evidence of TIP so far. The MOI has planned to conduct additional interviews with other workers and will pass its report on to the Prosecutors Office upon completion. The IOM lauded the Macedonian authorities' professionalism and diligence in proactively following up on the case. There were no other reports of Macedonian citizens being trafficked abroad during the reporting period. The majority of the trafficking that occurred during the reporting period was internal. Internal TIP victims were primarily minors, generally trafficked for the purpose of sexual

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exploitation, often with the complicity of family members or acquaintances.

During the reporting period 157 people were interviewed by Macedonian TIP authorities and offered assistance as presumed victims of trafficking. Most of those were foreigners who were either smuggled into the country in transit to western European destinations or discovered working as prostitutes during police raids of bars and nightclubs. Of those, six Macedonian minors were identified as confirmed victims of trafficking. One foreign victim was identified as a confirmed victim of trafficking. Macedonia's Standard Operating Procedures (SOPs) consider a person a "presumed victim of trafficking" if there are any indications that a person may have been subject to any of the elements of force, fraud or coercion. The GoM provides a full range of TIP victim services to presumed TIP victims. Only after an extensive interview by a competent trafficking in human beings authority can a potential victim be categorized as a "confirmed victim of TIP."

-- C. Since Macedonia's TIP victims were almost exclusively Macedonian minors trafficked by family members and acquaintances, they were primarily trafficked through the use of fear and coercion. Victims were generally allowed some freedom of movement and were sometimes even paid small salaries by their traffickers.

-- D. According to the NC and NGOs, poor, uneducated, single women between 15 and 25 years old were at the highest risk of becoming victims of trafficking. Ethnic minorities, particularly Roma, were also identified as most vulnerable.

-- E. According to the MOI, Traffickers were typically 20 to 50 year old, Macedonian males. The traffickers were not typically part of organized criminal groups, rather first time, one-off trafficking offenders. False marriages have been identified as a common tactic in recent years to lure to the victims.

26. (U) SETTING THE SCENE FOR THE GOVERNMENT'S ANTI-TIP EFFORTS:

-- A. The Government was acutely aware of the problem trafficking in persons presents domestically, regionally and globally and continued to make combating TIP a GoM priority at the highest levels. Many GoM officials publicly spoke out against trafficking, and highlighted it as an issue the government must continue to vigorously address.

-- B. The NC was the government body responsible for drafting legislation and coordinating the GoM's anti-trafficking efforts. The NC was headed by the National Coordinator for Combating Trafficking in Persons. Within the NC were representatives from MOI's Department for Organized Crime, the Ministry of Labor and Social Policy (MLSP), the National Referral Mechanism under the MLSP, the Ministry of Education, Public Prosecutors office, Skopje Criminal Court One (which tries all TIP cases) and the Centers for Social Welfare. The MOI's Department of Organized Crime's Sector for Anti-trafficking of Human Beings was in charge of all TIP-related law enforcement activities. The Public Prosecutors' Organized Crime and Corruption Unit handled all TIP prosecutions. The NRM under the MLSP was the lead on prevention campaigns and trainings related to victim identification, protection and assistance. The NRM also coordinated the work of 30 centers for social welfare that dealt with internally trafficked victims around the country.

-- C. There were no significant limitations on the Government's ability to address TIP. Some communication problems between the MOI and the Public Prosecutors office and vacancies in six of the 13 Organized Crime and Corruption public prosecutor positions slowed the handling of TIP cases during the reporting period. Aware of the communication problem, the NC is encouraging more direct participation of this office in NC activities. The six vacancies are

a temporary problem. The Public Prosecutors office has funding for the six vacant positions and expects to fill at least four by mid-2010, if not all, but has had trouble finding qualified candidates. Police funding has been adequate and the government currently has sufficient resources to aid victims. During the reporting period the government completed the process of taking over full financial responsibility for the office of the NRM. (Note: The NRM was previously working within the Ministry of Labor and Social Policy but its employees and activities were mostly funded by the OSCE.) The government also set aside 20,000 EURO in the budget dedicated to establishing a government run domestic shelter in an existing government owned building. During the reporting period the MLSP opened an additional three centers for social welfare, which also provide victim assistance.

-- D. The government consistently monitored its anti-trafficking

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efforts on all fronts. The National Coordinator for TIP gathered and compiled statistical data from the entire spectrum of TIP-related agencies and organizations and held frequent meetings with the primary TIP NGOs and international community to disseminate this information and discuss ongoing TIP activities. In January 2010 the newly appointed National Reporter on Trafficking and Smuggling published the first annual National Reporter's report detailing TIP which provided a comprehensive assessment of TIP activities during the year. The National Reporter formally presented the first draft of this report to the NC, international community and primary TIP NGOs in December 2009 for evaluation and integrated the feedback and criticism from that evaluation into the final draft of the report as areas of focus and improvement for 2010. The GoM also operated two databases: one of TIP victims (hosted by the NRM), and another of TIP criminals (hosted by the MOI).

-- E. Macedonia maintains a standard, modern system for identity establishment. Births are registered and filed by municipal governments and transmitted to the Ministry of Interior for consolidation into a national citizenship database. The government also takes regular censuses. The next census is scheduled for 2011.

-- F. The MOI maintains case management and criminal databases, including the aforementioned database exclusively for tracking TIP criminals. The courts also maintain a separate case tracking database and, with the assistance of USAID, have been working to modernize their case management system and improve transparency. The government has no significant gaps in tracking law enforcement efforts.

27. (U) INVESTIGATION AND PROSECUTION OF TRAFFICKERS:

-- A. Macedonia has a law specifically prohibiting trafficking in persons. This law criminalizes TIP not only when carried out for purposes of sexual exploitation, but also for other purposes, such as forced labor, involuntary removal of human organs for transplantation, pornography, forcible marriage or fertilization, and illegal adoption.

The TIP-specific articles in the Criminal Code were introduced in 2004. On January 4, 2008, the Macedonian Parliament adopted amendments to the 2004 Criminal Code which fully harmonized the relevant Macedonian legislation with the 2000 UN Palermo Convention against trans-national organized crime and its Supplementing Protocols, and provided the legislative basis for the ratification of the Council of Europe's Convention on Action against Trafficking in Human Beings (2005) and the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (2007). The exact text of Article 418 is included below:

TRAFFICKING IN HUMAN BEINGS Article 418-A

(1) A person who by force, serious threat misleads or uses other forms of coercion, kidnapping, deceit and abuse of his/her own position or a position of pregnancy, weakness, physical or mental incapability of another person, or by giving or receiving money or other benefits in order to obtain agreement of a person that has control over other person or in another manner, recruits, transports, transfers, buys, sells, harbors or accepts persons because of exploitation through prostitution or other forms of sexual exploitation, pornography, forced labor or servitude, slavery, forced marriages, forced fertilization, unlawful adoption, or similar relationship or illicit transplantation of human body parts, shall be punished with imprisonment of at least four years".

(2) A person who destroys or takes away an ID, passport or other documents for identification with aim to commit the crimes set out in paragraph 1 of this article shall be punished with at least 4 years of imprisonment.

(3) A person who uses or enables another person to use sexual services or other type of exploitation from persons for whom knew or

should have known or were victims of human trafficking shall be punished with imprisonment between 6 months and 5 years.

(4) If the act from paragraphs (1), (2), and (3) of this article is committed by an official person in the course of duty, this person is punished with a minimum sentence of eight years in prison.

(5) The consent of the victim of trafficking with the intention for exploitation prescribed in paragraph 1 is of no relevance for the existence of the crime of paragraph 1.

(6) If the crime of this article is committed by a legal entity, it shall be fined.

(7) The real estate utilized and the items used and the means of transport used for committing the crime shall be confiscated.

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SMUGGLING OF MIGRANTS

Article 418-B

(1) One who, using force or serious threat that will attack the life or body, with kidnapping, fraud, out of greed, with misuse of his/her official position or using of the powerlessness of other illegally transfers migrants through the state border, as well as one that produces, purchases or owns fake passport with such intention, shall be sentenced with imprisonment of at least four years.

(2) One that engages, transports, transfers, buys, sells, hides or accepts migrants shall be sentenced with imprisonment of one to five years.

(3) If during the commitment of the crimes stipulated in the paragraphs 1 and 2 the life or the health of a migrant is endangered, or the migrant is treated especially humiliating or cruelly, or he/she is prevented to use the rights he/she has according to the international law, the stipulator shall be sentenced with imprisonment of at least eight years.

(4) If the crime stipulated in the paragraphs 1 and 2 is committed with a minor, shall be sentenced with imprisonment of at least eight years.

(5) If the act from paragraphs (1), (2), (3) and (4) of this article is committed by an official person in the course of duty, this person is punished with a minimum sentence of ten years in prison.

(6) The means and vehicles used for committing the crime shall be confiscated.

ORGANIZATION OF A GROUP AND URGING FOR COMMITTING THE CRIMES HUMAN TRAFFICKING, TRAFFICKING IN A MINOR AND SMUGGLING OF MIGRANTS

Article 418-C

(1) One who will organize a group, gang or other association with intention to commit crimes stipulated in the articles 418-a, 418-b and 418-d, shall be sentenced with imprisonment of at least eight years.

(2) One who will become a member of a group, gang or other association stipulated in paragraph 1 or in other way helps the group, gang or association, shall be sentenced with imprisonment of at least one year.

(3) The member of the group stipulated in the paragraph 1 who will disclose the group before he/she commits a crime as its member or on its behalf, shall be pardoned.

(4) One that calls, urges or supports commitment of the crimes stipulated in the articles 418-a, 418-b and 418-d, shall be sentenced with imprisonment of one to ten years.

TRAFFICKING OF A MINOR

Article 418-D

(1) The person who recruits, transports, transfers, buys, sells, harbors or accepts minor because of exploitation through prostitution or other forms of sexual exploitation, pornography, forced labor or servitude, slavery, forced marriages, forced fertilization, unlawful adoption or similar relationship or illicit transplantation of human body parts, shall be punished with imprisonment of at least eight years

(2) The person who shall commit the crime from paragraph 1 by force, serious threat, by misleading or through other forms of coercion, kidnapping, deceit and abuse of his/her own position or a position of pregnancy, weakness, physical or mental incapability of another person, or by giving or receiving money or other benefits in order to obtain agreement of a person that has control over other person, shall be punished with at least 10 years imprisonment.

(3) A person who shall use or enable another person to use sexual services or other type of exploitation of a minor for whom the person knew or should have known that are victims of human trafficking shall be punished with at least 8 years imprisonment.

(4) A person who destroys or takes away an ID, passport or other's person documents for identification with aim to commit the crimes set out in paragraphs 1 and 2 of this article shall be punished with at least 4 years of imprisonment.

(5) If the act from paragraphs (1), (2), (3) and (4) of this article is committed by an official person in the course of duty, this person is punished with a minimum sentence of ten years in prison.

(6) The consent of the minor with the activities foreseen in paragraph 1 is of no relevance for the existence of the crime of

paragraph 1.

(7) If the crime of this article is committed by a legal entity, it shall be punished with a fine.

(8) Estates utilized and the objects and the vehicles used for the committing of the crimes shall be confiscated.

In September 2009 the government adopted amendments (above) to all four of the TIP related sections of the criminal code that mandate an eight year minimum sentence for any of these crimes committed by a public official while in the course of official duty, ten years if

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the victim is a minor.

The criminal code also includes a law against "mediation in prostitution," Article 191. Article 191 includes a subsection on prostitution "by using force or by serious threat to use force." The sentence for this subsection was increased to eight years in November 2008. This law cannot be used in prostitution cases involving minors. All crimes related to prostitution involving minors must be charged as "Trafficking in Minors" under Article 418D.

-- B. Penalties for traffickers engaging in sexual exploitation carry a minimum of four years imprisonment. Any of the crimes involving the sexual exploitation of a minor carry a minimum sentence of eight years, ten years if the trafficker abuses a position of authority or a physical or mental weakness of the victim in order to commit the crime. The minimum penalty for mediators/organizers of prostitution is three years.

(See 27. -- A. for full details on the prescribed penalties for trafficking for sexual exploitation)

-- C. Article 418a also criminalizes trafficking for purposes of forced labor and carries a minimum sentence of four years. (See 27. -- A. for full details on the prescribed penalties for trafficking for labor exploitation)

The Law on Labor Relations and the Law on Criminal Procedure cover all acts of non-trafficking related labor exploitation. Child labor abuse, not specifically as a result of trafficking, is dealt with in Section XIII, Articles 172-176, of the Law on Labor Relations. Article 173 bans employees under the age of 18 from working in difficult or dangerous labor conditions, while Article 175 precludes them from working between 10:00 pm and 6:00 am.

-- D. Penalties for rape or forcible sexual assault are prescribed in Articles 186 through 189 of Criminal Code and carry a sentence ranging from three years to a maximum of 15 years imprisonment. For rape committed against a child less than fourteen years of age the minimum sentence is eight years.

-- E. The MOI arrested 18 suspects in connection with seven alleged trafficking cases during the reporting period. Investigation is ongoing in five of those cases and two of those cases are currently being prosecuted in the courts. No trafficking cases opened during the reporting period have reached the conviction stage as of this report.

-- F. During the reporting period the government and IOM conducted an extensive training program focused on improving adherence to the standard operating procedures and victim identification skills across all of Macedonia's TIP responders. The first phase of the program, completed in December, included eight, two-day trainings reaching 280 local law enforcement officials and border police to improve understanding and implementation of the Standard Operating Procedure by front-line law enforcement officials. The trainings included a special focus on identifying the new, more discreet victim profile and adapting police methods to the changing modus operandi of traffickers that have emerged due to Macedonia's crackdown on human trafficking over the past three years. Those trainings are now being followed up with six specialized trainings reaching 150 officials from the Prosecutor's office, MOI and NRM. The third phase of these trainings will be a series of integrated trainings to improve coordination between the MOI, labor inspectors, NGOs, prosecutors and social workers. Those trainings are set to begin in spring 2010 and will reach 120 employees from the various institutions. The trainings were funded with Macedonia's EU Instrument for Pre-Accession Assistance (IPA) funds. Separately, the MLSP and State Labor Inspectorate, in conjunction with the OSCE, conducted a series of four three-day workshops focused on training more than 120 labor inspectors. The trainings are designed to help the inspectors identify the less obvious indicators of labor trafficking and educate them on appropriate procedures for investigating and reporting those crimes through the National Referral Mechanism. Embassy officers from the US Department of Justice representing ICITAP and OPDAT work closely with the GoM to provide broad training and assistance to the Judiciary and law enforcement. ICITAP and OPDAT make an effort to work TIP enforcement into all oQ;Q&oDmXyc@J! in cooperation with Serbian officials through the SECI center

Through the Migration, Asylum and Refugee Regional Initiative (MARRI), a governmental organization formed out of the 2003 Stability Pact for Southeastern Europe, which includes six regional member states, Macedonia has continued the implementation of various TIP related and border security projects in coordination with the other countries belonging to the initiative.

-- H. The GOM extradites foreign criminal suspects upon receiving a request from authorities in the country of origin. However, the Macedonian constitution prohibits the extradition of Macedonian nationals who are charged with criminal offenses. In such cases, the GoM requests that the other country transfer its jurisdiction for criminal action against, for example traffickers, to the GoM for prosecution. The government can extradite other-country nationals who are charged with trafficking. The extradition procedure is delineated in the Law on Criminal Procedure, bilateral extradition treaties, and the Council of Europe's Extradition Convention.

No cases requiring criminal extradition occurred during the reporting period.

-- I. There was no evidence of involvement of high-level GoM officials in TIP, or of the tolerance of TIP at any level.

-- J. No government officials were involved in human trafficking cases during the reporting period. However, due to the rise in human smuggling cases transiting through Macedonia over the last couple of years, law enforcement officials have increased their efforts to root out any corruption that makes Macedonia more vulnerable to organized international human smuggling and trafficking networks. On July 1, 13 people in Macedonia, including one senior MOI police officer, were arrested and charged with human smuggling for the smuggling of Asian migrants from Serbia, through Macedonia, to Greece. Operation "Kanis" (as the case has been dubbed) was coordinated in cooperation with Serbian officials through the SECI center. Separately, beginning on August 25, the Organized Crime Unit began arresting border police and customs officers in operation "Boomerang" for allegedly taking and/or soliciting bribes at border entry points. To date, charges have been brought and indictments levied against 57 border police and 3 customs officials. Trials are underway for all 60 defendants. Although there is no evidence connecting either case to TIP crimes, Macedonian authorities consider both cases significant wins in securing the borders against vulnerabilities to international smuggling and trafficking crimes. To further discourage corruption, in September 2009 the government also adopted amendments to the TIP related sections of the criminal code that mandate an eight year minimum sentence for any of these crimes committed by a public official while in the course of official duty (10 year minimum sentence if committed against a minor).

-- K. Macedonia contributes troops to the ISAF peacekeeping mission but none of those troops have been implicated in facilitating any form of trafficking or the exploitation of trafficking victims.

-- L. Macedonia does not have an identified problem of sex tourism involving children nor is there any indication that Macedonian nationals engage in sex tourism. Nonetheless Macedonia has been particularly aggressive in its investigation and prosecution of TIP crimes against minors.

128. (U) PROTECTION AND ASSISTANCE TO VICTIMS:

-- A. Macedonia offers formal witness protection services to victims testifying in high-risk, high profile cases. Witnesses are often housed in safe houses or hotels and receive 24-hour police protection. No TIP cases during the reporting period required this level of witness protection. Additionally, the Reception Center for

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international TIP cooperation a high priority. The GoM finished developing its trans-national referral mechanism (TRM) for TIP with 14 other governments throughout Europe and hosted the TRM project's fourth and final international conference in Ohrid in June 2009. The TRM harmonizes victim identification, referral, and return, and investigative cooperation among participating governments when dealing with international TIP crimes.

Additionally, Macedonia continued to coordinate smuggling and TIP investigations through the Southeast Europe Cooperation Initiative (SECI) center. On July 1, 13 people in Macedonia, including one senior MOI police officer, were arrested and charged with human smuggling for the smuggling of Asian migrants from Serbia, through Macedonia, to Greece. Operation "Kanis" (as the case has been dubbed) was coordinated in cooperation with Serbian officials through the SECI center

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foreign victims included round-the-clock police security and the domestic victims' shelter maintained a high level of secrecy and discretion with its location and employed an on-call private security company. There have been no TIP cases in recent years where victim protection failed.

-- B. The MOI, with IOM support and the help of NGO specialists, fully operated the Reception Center (formerly the Shelter Transit Center) for foreign victims of trafficking and irregular migrants. The Center provided safe housing for victims at the pre-trial, trial, and post-trial stages, until the eventual repatriation of victims to their countries of origin. The government budget for the Reception Center was approximately \$105,000 in 2009.

During the reporting period domestic victims were housed in the domestic victims' shelter, run by the NGO OpenGate. The shelter was funded in part by the Dutch International NGO Lastrada, as well as a 40,000 EURO award OpenGate received from the ERSTE Foundation. The government nominated OpenGate for the ERSTE award based on its prevention programs in Macedonia and OpenGate was awarded the first prize out of 1,300 project submissions. During the reporting period the NC and MLSP ran into a number of setbacks in plans to take full

financial and material responsibility for the domestic victims' shelter. In September, the NC identified an ideal location for the new domestic victims' shelter and received a full endorsement of the location from the two NGOs that would ultimately operate victim care and day-to-day operations of the shelter. However, tenants in an adjacent facility for the blind did not want a victims shelter placed next to their facility and threatened to create media problems if the government followed through on the plans. Wishing to keep the shelter low profile and discreet, and to avoid an ugly media frenzy, the GoM decided to abandon the location. In October, GoM officials believed they had identified another suitable location for the shelter, but following a tour of the location with the NGOs (in which Embassy PolOffs also participated) the location was deemed inadequate and the government was forced to continue its search. On February 12, the NC was granted authorization to convert a large government owned apartment, which will ultimately shelter as many as nine victims, into the new domestic victims' shelter. The NGOs have fully endorsed this plan. They feel the apartment is secure, well located, and provides an appropriate level of freedom, comfort and amenities for domestic victims.

Domestic victims who choose not to reside in the domestic shelter can receive psychological and social services from any of the 30 MLSP-run centers for social welfare. The centers for social welfare also provide victim reintegration services. The MLSP opened three new centers for social welfare during the reporting period. The 2009 government budget for the centers for social welfare was approximately \$11,000,000.

There was one foreign victim of TIP discovered during the reporting period who was housed in the Reception Center prior to returning to Kosovo. The NGO-run shelter for domestic TIP victims assisted 11 confirmed victims during the reporting period. Five of the victims assisted were from cases opened during the previous reporting period. The centers for social welfare assisted seven TIP victims during 2009.

-- C. In the Reception Center the GoM provided social and psychological services through resident civil servants. The GoM also provided office space for the NGO Happy Childhood to provide a variety of victim services. The MLSP provided legal services to victims through a legal advocate employed in the NRM. The GoM signed a MoU with the Red Cross during the last reporting period to provide emergency medical assistance to foreign victims in the reception center. The government transfers approximately \$350 a month to the Red Cross to provide those services. Macedonian citizens are entitled to healthcare under the law but due to complexities surrounding registration for healthcare some domestic victims who were not previously registered are not immediately able to obtain it. In these cases the government has provided healthcare to domestic victims on a case by case basis or the NGO that runs the domestic shelter has paid for emergency medical care itself. During the reporting period, the MLSP submitted amendments to Parliament that would eliminate these complexities and guarantee that all domestic TIP victims are granted government healthcare no matter what. That legislation is still awaiting Parliamentary approval.

Additionally, domestic victims can receive psychological and social services from any of the 30 MLSP-run centers for social welfare. The centers for social welfare also provide victim reintegration services. Additionally, the centers for social welfare in conjunction with the NGO OpenGate have continued their program to assist TIP victims with job placements upon reintegration.

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-- D. The Law on Foreigners, which came into force on January 1, 2008, allows persons suspected of being TIP victims to be given a two-month temporary residence permit in the country while they are deciding whether or not to testify. During that period, the GOM is to support and protect the presumed victims. The period can be extended for victims who are minors. Article 82 allows for the granting of a six-month temporary residence permit for all TIP victims who have agreed to testify.

-- E. After domestic victims leave the domestic shelter they can continue to receive a full range of victim support services through the Centers for Social Welfare, including social reintegration services, psychiatric services and in some cases skills training and employment services.

-- F. The National Referral Mechanism and the SOPs outlined detailed procedures for victim referral to either the domestic shelter or Reception Center by police, social workers, prosecutors and other potential TIP first responders.

-- G. Seven confirmed victims of TIP were identified during the reporting period. Of those victims six were Macedonian minors and one victim was a foreign minor from Kosovo. Three victims were victims of just sexual exploitation, two were victims of just labor exploitation, and two were victims of both sexual and labor

exploitation. One of the victims of labor exploitation was also a victim of forced begging. All of the domestic victims have received assistance from the NGO funded domestic shelter for TIP victims as well as the government funded centers for social welfare.

-- H. The TIP SOPs, formally adopted by the GOM at the beginning of 2008, establish a formal system for victim identification for use by the police, social services personnel and any other potential first responders. All the police, immigrations officers, prosecutors and social workers expected to encounter TIP victims have been trained on the SOPs. The SOPs were developed to fully conform to accepted international standards on victim identification and treatment.

The Macedonian Ministry of Foreign Affairs requires its consular officers to receive training on recognizing potential victims of trafficking. Consular officers are instructed not to routinely issue visas or work permits to women for employment in the "entertainment industry." Such requests are flagged and sent to the MOI's internal review board, which assesses the credentials of the applicant as well as the authenticity of the Macedonian establishment where the visa applicant is to work.

-- I. Victim rights were respected during the reporting period. Initial screening of victims was carried out by TIP-trained police officers in the unit to combat human trafficking and social workers from the local centers for social work. Where police and social workers suspected any elements of TIP they referred victims to one of the two shelters. The shelters provided any immediate health or social services to the presumed victims.

There were no reports of potential TIP victims being detained, jailed, prosecuted or fined during the reporting period, nor were there any reports of unsatisfactory adherence to the SOPs by local law enforcement as there had been in years past.

-- J. The government encouraged victims to participate in investigations and trials, and provided support to them. During the reporting period, two of the victims provided witness testimony in the courts and three of the victims have assisted in the investigation of their cases. In cases when foreign victims of trafficking are witnesses against their traffickers, the victims do not have the right to obtain other employment in the country. In cases in which a foreign witness has not been repatriated or requested a residency permit they stay at the government-run reception center.

Victims can institute civil proceedings to claim damages and/or compensation and compensation has been awarded in several cases in the past few years. However, the current process for victim compensation continues to be too complex, and victims who have been awarded compensation have thus far been unable to see the entire process through to fruition. To remedy this problem, the NC is pushing for the creation of a TIP victims' fund from which victim compensation could be paid out as soon as compensation rulings are awarded by the court. This would place the responsibility for seizure of assets entirely on the GoM rather than requiring the victim to pursue compensation.

-- K. During the reporting period the government provided specialized training on TIP victim identification and assistance to law enforcement officials, border police, the Prosecutor's office, MOI officials, NRM officials and state labor inspectors as

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previously noted in 27.--F.

The Macedonian Ministry of Foreign Affairs requires its consular officers to receive training on recognizing potential victims of trafficking.

No trafficking victims sought host country embassy or consulate assistance during the reporting period.

-- L. Repatriated Macedonian TIP victims are permitted to stay in the domestic shelter and given access to a full range of services offered by the Centers for Social Welfare. They also receive new identity documentation, a government health insurance card and legal representation from the office of the NRM as necessary.

-- M. Several NGOs and international organizations were active in prevention and awareness-raising projects in Macedonia. To date, those involved in working directly with victims of trafficking are:

a) "For Happy Childhood" is an NGO responsible for the psychosocial support of victims of trafficking in the MOI Reception Center. The NGO will become one of the MLSP's two NGO partners in the new domestic victims' shelter. The GoM provided office space, phones and computers to Happy Childhood at the Reception Center and the University of Skopje during the reporting period.

b) "The International Organization for Migration" (IOM), which provides financial support to the Reception Center, is responsible for the repatriation program for foreign TIP victims and provides

material support and funding for a number of awareness campaigns. Additionally, the IOM worked on an ESS TIP project that began in 2007 that helped vulnerable victim groups create micro-businesses in order to improve their financial stability, thus reducing their risk factors.

c) "Open Gate - La Strada" is an NGO that manages the shelter for victims of internal trafficking and victims of Macedonian origin. The NGO will become one of the MLSP's two NGO partners in the new domestic victims' shelter. Through the domestic shelter the NGO provided a full range of support services including adult education programs and specialized skills training. During victim reintegration Open Gate worked with the centers for social welfare to help place victims in jobs where they could receive practical training in their new skill set. Open Gate also operated the national toll-free TIP victims' helpline.

d) "Red Cross"- The NC has signed a memorandum of understanding with the Red Cross which has integrated the Red Cross into the victim identification process and allows the Red Cross to provide medical services to TIP victims in both shelters.

All these organizations have reported that Macedonian authorities are cooperative and supportive of the NGOs and international organizations in their anti-trafficking programs and activities.

129. (U) PREVENTION:

-- A. During the reporting period the government conducted a variety of anti-trafficking education and awareness campaigns. On October 18, EU Anti-Trafficking Day, the Minister of Interior and Minister of Justice attended an EU Ministerial Conference in Brussels where they each delivered speeches on the importance of joint international efforts and cooperation in combating TIP. The NC also distributed TIP awareness leaflets and brochures in two of Macedonia's largest malls, and MOI together with IOM sent out a press-release detailing the current facts and figures of TIP to promote TIP awareness.

On December 2, the World Abolition of Slavery Day, the NC with the help of the NGO Semper distributed leaflets and brochures in Bitola, Macedonia's second largest city, which has been identified as a particularly high risk city for TIP. With the cooperation of the Red Cross, the NC and Semper also held an awareness raising event on the same day for high school students in Bitola. Semper conducted similar workshops in Bitola throughout the year.

Seeking to address client demand for victims of trafficking, the NC began broadcasting a demand reduction campaign over the state television network in November 2009. The NC translated the IOM's "Buy Responsibly" campaign into Macedonian for use in the campaign.

In addition to these activities, an inter-ministerial panel on children's rights, which includes the head of the NRM, distributed TIP prevention leaflets to schools throughout Macedonia. The government's Agency of Youth and Sports granted the NGO OpenGate \$1000 in funding to assist in the continuation of their TIP prevention lectures to youth around the country. The public

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University of Skopje, through an ongoing partnership with the NGO "For Happy Childhood," continued to organize seminars and films promoting TIP awareness. Furthermore, the Minister of Interior has delivered public speeches on the importance of combating TIP at national conferences and training events throughout the reporting period.

-- B. The government monitors immigration and emigration patterns for evidence of trafficking. As a member of the regional governmental organization MARRI, Macedonia has participated in a number of projects focused on improving regional cooperation and implementing tools to monitor and control regional migration more effectively. The projects have included harmonizing identification documents and visas between the member states, facilitating the exchange of migration information between countries, creating tools for tracking regional migration and the circular migration of temporary workers, and integrated border management.

All of Macedonia's border police and immigration officers have received victim identification training and specialized training to identify fraudulent documents and visas.

-- C. Internally, the NC was responsible for coordinating the anti-trafficking efforts between all of Macedonia's primary TIP stakeholders. The NC was headed by the National Coordinator for Combating Trafficking in persons. Within the NC were representatives from MOI's Department for Organized Crime, the NRM under the MLSP, the MOE, Skopje Criminal Court One (which tries all TIP cases) and the Centers for Social Welfare.

The MOI law enforcement Sector for Anti-trafficking worked closely

with the SECI center, which coordinates the international law enforcement efforts of 13 member countries and has successfully broken up a number of regional human trafficking and smuggling operations.

During the reporting period the GoM completed the development of its Transnational Referral Mechanism with 14 other governments throughout Europe. The TRM harmonizes victim identification, referral, return and investigative cooperation between governments when handling international TIP crimes.

The GoM coordinates many of its regional, policy-level TIP activities through MARRI. These activities include projects specifically to combat regional TIP as well as a number of other projects designed to bolster regional cooperation and infrastructures for monitoring and controlling migration.

-- D. The NC, in collaboration with international community and NGOs completed its a new NAP for 2009-2012 at the end of the previous reporting period and the new NAP was adopted by the government in September 2009, along with an approximately \$550,000 budget for its implementation. The international community and NGOs have cited the new NAP as an excellent example of collaboration between all the key stakeholders combating TIP in Macedonia. For the first time, the new National Action Plan (NAP) for combating trafficking included detailed government funding responsibilities. Previously the NAP only detailed Macedonia's specific TIP combating goals and objectives but did not define specific funding sources to achieve those goals. Now, every one of the goals and objectives in the NAP includes a funding directive that defines which ministries are responsible for funding that specific activity. This change will make budget allocations easier and require ministerial accountability for TIP combating responsibilities.

-- E. Seeking to address client demand for victims of trafficking, the NC began broadcasting a demand reduction campaign over the state television network in November 2009. The NC translated the IOM's "Buy Responsibly" campaign into Macedonian for use in the campaign.

The public University of Skopje, through an ongoing partnership with the NGO "For Happy Childhood," continued to organize seminars and films promoting TIP awareness. These presentations and films included speakers and materials focused specifically on demand reduction, including presentations by lawyers and doctors on the severe consequences of procuring commercial sex services.

During the reporting period the NGO Semper also held a number of workshops in Bitola which included sessions focused on reducing demand for commercial sex by encouraging attendee awareness of the possibility that commercial sex workers may be unwilling TIP victims.

-- F. The international community, NGOs and GoM generally concur that Macedonian nationals do not travel abroad for sex tourism. The government did not take any specific measures to combat international child sex tourism by Macedonian nationals during the

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reporting period.

-- G. The GoM continued to provide pre-deployment training for soldiers that included awareness and prevention training on the dangers of TIP and its link to the demand for commercial sex.

130. (U) PARTNERSHIPS

-- A. The MOI law enforcement Sector for Anti-trafficking worked closely with the SECI center, which coordinates the international law enforcement efforts of 13 member countries and has successfully broken up a number of regional human trafficking and smuggling operations.

The GoM also coordinates many of its regional, policy-level TIP activities through MARRI. These activities include a TIP specific project to develop a regionally integrated approach to preventing and combating TIP as well as a number of other projects designed to bolster regional cooperation and infrastructures for monitoring and controlling migration.

-- B. The government has hosted the headquarters of the inter-governmental regional initiative, MARRI, in Skopje since the initiative's inception free of charge. Representatives from each of MARRI's six member countries coordinate regional projects and initiatives out of the headquarters which are located in the government owned Macedonian TV building.

In September 2009, the Deputy Minister of Justice and Deputy General Prosecutor from Tajikistan visited Macedonia and met with senior NC official to learn best practices for combating TIP in Tajikistan. At the international TRM conference in Ohrid in June, the Deputy

Minister of Interior from Montenegro asked the Macedonian National Coordinator for combating TIP if Macedonia could assist Montenegro in improving its TIP combating activities. The NC will be sending a delegation to Montenegro on February 25, 2010 to meet with Montenegrin TIP officials to discuss ideas for assistance and coordination. In April 2009, students from the University of Toronto also visited NC officials in Macedonia to learn about best practices for combating TIP.

NEW REQUIREMENTS FOR THE CHILD SOLDIERS PREVENTION ACT

¶33. Macedonia has not been the subject of allegations regarding illegal child soldiering.

NOMINATION OF HEROES AND BEST PRACTICES

¶35. In December 2010 the newly appointed National Reporter on Trafficking and Smuggling completed the first draft of the first annual National Reporter's report detailing TIP combating activities. Interested in delivering the most accurate and critical assessment of TIP combating activities in Macedonia as possible, the National Reporter organized a formal meeting to present the findings of the report's first draft to the National Commission, International Community and TIP focused NGOs, and requested their feedback and recommendations prior to publishing the final report. The final report included the resulting feedback and suggestions conveyed by the international and NGO community, along with recommendations for 2010. All who participated commended the government for its inclusive approach to preparing the report and its willingness to proactively seek a broad critical assessment of the report in order to achieve best results.

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